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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 ON STAGE ENTERTAINMENT, INC.,  
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11 Plaintiff,

12 v.

13 LIC THEATRES, LLC,

14 Defendant.

Case No. 2:11-CV-00086-KJD-LRL

**ORDER**

15 Plaintiff's Complaint (#1) was filed January 18, 2011. Federal Rule of Civil Procedure 4(m)  
16 requires service of summons and complaint to be made upon a defendant 120 days after the filing of  
17 the complaint. The 120 day time period for effecting service of the summons and complaint upon  
18 Defendant expired no later than May 18, 2011. On May 19, 2011, the Court ordered Plaintiff to file  
19 proof of service of the summons and complaint no later than June 6, 2011, and warned Plaintiff that  
20 failure to do so would result in the complaint against Defendant being dismissed without prejudice.  
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22 Plaintiff has failed to file proof of service on Defendant, or to otherwise respond to the  
23 Court's order. Therefore, the Court dismisses Plaintiff's complaint without prejudice against  
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1 Defendant for failure to serve Defendant in compliance with Rule 4(m). The Clerk of the Court  
2 shall close this case.

3 **IT IS SO ORDERED.**

4 DATED this 21<sup>st</sup> day of June 2011.

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Kent J. Dawson  
United States District Judge